



City of Seattle

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Gregory J. Nickels, Mayor

**Department of Design, Construction and Land Use**

D. M. Sugimura, Acting Director

**CITY OF SEATTLE  
ANALYSIS AND DECISION OF THE DIRECTOR  
OF THE DEPARTMENT OF DESIGN, CONSTRUCTION AND LAND USE**

**Application Number:** 2207847

**Applicant Name:** Julie LeDoux

**Address of Proposal:** 2626 NW 57<sup>th</sup> St

**SUMMARY OF PROPOSED ACTION**

Master Use Permit to divide one lot into four townhouse unit parcels. The proposed townhouse unit lot areas are approximately:

- Parcel A: 1,242 square feet;
- Parcel B: 1,134 square feet;
- Parcel C: 1,286 square feet;
- Parcel D: 1,339 square feet;

The proposed action is related to Project Number 2206804 for the construction of a four-unit townhouse development.

The following approval is required:

**Short Subdivision:** To divide one (1) lot into four (4) unit parcels of land  
(SMC Chapter 23.24)

**SEPA DETERMINATION**

☒ Exempt\*\*\*   ☐ DNS   ☐ MDNS   ☐ EIS

☐ DNS with conditions

☐ DNS involving non-exempt grading or demolition or  
involving another agency with jurisdiction

\*\*\*NOTE: Pursuant to Washington Administrative Code Section 197-11-800(6)(a), short subdivisions are exempt from SEPA review. This exemption does not include further short subdivision or platting within a plat or subdivision previously exempted from SEPA review.

## **BACKGROUND DATA**

*Site Location:* The subject property is located within the Ballard neighborhood. The rectangular shaped site is located on the south side of a rectangular block bounded by 28th Avenue NW to the west, 26<sup>th</sup> Ave NW to the east, NW 57th Street to the south and NW 58th Street to the north. NW 57th Street is a paved residential street with traffic movement in both directions and parallel parking along both sides of the street. The site slopes gently down to the south. The subject site is surrounded by a mixture of single and multi family residential development. There is no alley access to the site.

*Zoning:* Residential Multi-Family Lowrise 2 (L-2)

*Parcel Size:* 5,001 square feet

*Existing Use:* Single Family Residence with Detached Garage.

*Surrounding Uses:* North: Lowrise, L-2 zone  
East: Lowrise, L-2 zone  
South: Lowrise, L-2 zone  
West: Lowrise, L-2 zone

## **Proposal Description**

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## **Public Comments**

The comment period for this proposal ended December 11, 2002. One comment letter was received during this period, expressing concern that the proposed development will be similar to other mediocre townhouse construction recently built in this neighborhood.

### **ANALYSIS - SHORT SUBDIVISION**

Pursuant to SMC 23.24.40, no short plat shall be approved unless all of the following facts and conditions are found to exist. The findings which follow are based on information provided by the applicant, referral comments from DCLU, Seattle Public Utilities, Seattle Fire Department, Seattle City Light, and review of the proposal by the Land Use Planner.

1. *Conformance to the applicable Land Use Code provisions;*
2. *Adequacy of access for vehicles, utilities and fire protection, as provided in Section 23.53.005;*
3. *Adequacy of drainage, water supply, and sanitary sewage disposal;*
4. *Whether the public use and interests are served by permitting the proposed division of land;*
5. *Conformance to the applicable provisions of SMC Section 25.09.240, short subdivision and subdivisions in environmentally critical areas;*
6. *Is Designed to Maximize the Retention of Existing Trees;*
7. *Conformance to the provisions of Section 23.24.045, Unit Subdivisions.*

Based on information provided by the applicant, referral comments from DCLU, Seattle Public Utilities, Seattle Fire Department, Seattle City Light, and review of the proposal by the Land Use Planner, the following findings are made with respect to the above cited criteria:

1. **Conformance with Land Use Code Provisions**

The site is located within the Residential Multi-Family Lowrise 2 (L-2) zone. The maximum density within the Residential Multi-Family Lowrise 2 (L-2) zone is one dwelling unit per 1,200 square feet.

This proposal will divide the subject lot into four townhouse unit parcels as follows:

- Parcel A: 1,242 square feet;
- Parcel B: 1,134 square feet;
- Parcel C: 1,286 square feet;
- Parcel D: 1,339 square feet;

The resulting residential density is one dwelling unit per 1,250 square feet. Therefore, the parcels created by the proposed subdivision of land satisfy the maximum residential density requirements of the underlying zone.

The current construction of the townhouse residences must be in conformance with all zoning requirements (Project No. 2206804). Project 2207847 has been approved for zoning. Therefore, the proposed short subdivision and construction are in conformance with the Seattle Land Use Code.

Building and demolition permits have been approved for proposed Parcels A, B, C and D. The configuration of the proposed parcels permit construction of townhomes in accordance with applicable development standards of the Lowrise 2 zone, without resulting in the need for variance relief. A single structure with two adjoining townhomes straddles Parcels A and B along the southern half of the subject site fronting NW 57th St. Another structure with two attached townhomes straddles Parcels C and D along the northern half of the site.

## 2. Adequacy of Access for Vehicles, Utilities and Fire Protection

DCLU has circulated this proposed short subdivision to all city agencies with jurisdiction for review of utilities, access, and fire protection. All utilities are presently extended to the site and any changes in services would require approval of the respective utility.

All of the parcels will be accessed via NW 57<sup>th</sup> St to the south. Access for vehicles and emergency services are provided via this street. The shared driveway off of the street runs through portions of all of the proposed parcels. Therefore, the entire driveway has been designated an ingress and egress easement.

City Light requires an easement for electric service to the proposed new lots (approved December 16, 2002). Utility easements have been provided. The required easement includes and overhead/underground easement over a northern section of Lots C and D. The easement shall be attached to and become part of the short plat.

An eight-inch standard water main is available in NW 57<sup>th</sup> St approximately 23 feet from the proposed parcels. The Land Use Referral from Seattle Public Utilities Water Department has been received (November 26, 2002). The proposed action is approved consistent with standard conditions of utility service.

A single side sewer twelve-inch public sanitary sewer main is located in NW 57<sup>th</sup> St and currently serves the existing property. This was originally installed as a combined sewer, and as such, there are likely to be downspouts and drains still connected to what is now considered for the purposes of new development, a sanitary sewer. A 48-inch public storm drain is located in 28<sup>th</sup> Ave NW and an 18-inch public storm drain is located in 26<sup>th</sup> Ave NW. The streets are generally improved with curb and gutter to direct storm water runoff to the separated storm drain system. Both of the PSD drain to a Designated Receiving Water. The Land Use Referral from Drainage (received March 3, 2003) recommends approval of the proposed short subdivision.

The Fire Department has reviewed and approved the fire hydrant proximity and/or emergency vehicle access for the proposal (November 19, 2002). The nearest fire hydrant meets Seattle Fire standards.

Therefore, the proposed subdivision provides adequate access for vehicles, utilities, and fire protection.

3. Adequacy of Drainage, Water Supply, and Sanitary Sewage Disposal

As discussed above, this area is served with domestic water and sanitary sewer by the City of Seattle. Availability of service for Parcels A through D is assured subject to standard conditions of utility extension and the Seattle Public Utilities Water Availability Certificate No. 02-1240 for the proposal. A pressure-reducing valve is required for the proposed parcels to receive water service.

The stormwater drainage system to be incorporated into the building sites was reviewed for compliance with the applicable provision of the Stormwater, Grading and Drainage Control Code by the DCLU Access and Drainage Review Section upon application for building permits.

Therefore, as conditioned, the proposed subdivision provides adequate provisions for drainage, water supply, and sanitary sewer disposal.

4. Service of the Public Use and Interests

One objective of the Multifamily Policies is to increase opportunities for new housing development in order to ensure that there will be adequate capacity for future housing need. An equally important objective is to ensure that new development is compatible with neighborhood character. The proposed short subdivision is consistent with the Multifamily Policies, will meet all applicable Land Use Code provisions, have adequate access for vehicles, utilities and fire protection, and have adequate drainage, water supply and sanitary sewage disposal. Because the units on lots C and D do not have street frontage, an address sign visible from NW 57<sup>th</sup> St. shall be required to be posted and maintained.

Therefore, the public use and interests are served by permitting the proposed subdivision of land while also maintaining the character of the neighborhood.

5. Conformance with Provisions for Environmentally Critical Areas

This site is not an environmentally critical area as defined in SMC 25.09.100.

6. Is Designed to Maximize the Retention of Existing Trees

Pursuant to SMC 23.45.015, trees shall be required when low-rise multi-family dwelling units are constructed. The minimum number of caliper inches of trees required per lot may be met through either tree preservation or planting, or a combination of preservation and planting. This requirement may be met by planting or preserving trees in the public right-of-way adjacent to the subject lot. The applicable tree preservation and planting requirements for the four-unit townhouse development were reviewed under MUP 2206804.

7. Conformance with Provisions of Townhouse Unit Subdivisions

The applicant proposes a four-unit townhouse development in two separate buildings for this site. Parcels A and B will each share one wall and Parcels C and D will also share one wall. The proposed townhouse development on the subject property (proposed parcels A, B, C and D) is approved for building permit, under Master Use Permit Number 2206804.

Per Section 23.24.045(B) SMC, sites developed or proposed to be developed with townhouses may be subdivided into individual nonconforming unit parcels if development as a whole on the parent lot meets applicable Land Use Code development standards.

The conformance of the proposed townhouse development as a whole with the applicable Code Provisions was approved for a building permit, under Master Use Permit Number 2206804. These provisions included, but were not limited to, setback, lot coverage, building height, usable open space, landscaping, and parking requirements.

Consistent with Section 23.24.045(C), additional development of Parcels A, B, C and D shall be limited.

Subsequent platting actions, additions or modifications to the structure(s) may not create or increase any nonconformity of the parent lot. Subsequent actions that would create any nonconformity of Parcels A, B, C and D shall not be permitted. This condition shall be noted on the plat.

Consistent with Section 23.24.045(D), access easements and joint use and maintenance agreements shall be executed for parking areas and driveway and pedestrian access.

Therefore, the proposed short subdivision conforms with the provisions of Section 23.24.045 for Townhouse Unit Short Subdivisions.

### **SUMMARY - SHORT SUBDIVISION**

The lots to be created by this short subdivision, as conditioned, will meet all standards of the Lowrise 2 zone set forth in the Land Use Code. This short subdivision can be provided with vehicular access, and public and private utilities and access, including emergency vehicles. Adequate provisions for water supply and sanitary sewage disposal have been provided for each lot and service is assured, subject to standard conditions governing utility extensions. Adequate provisions for drainage control shall be provided prior to issuance of building permits. Adequate provisions for tree preservation were considered during the review of MUP 2206804.

### **DECISION - SHORT SUBDIVISION**

The proposed Short Subdivision is **CONDITIONALLY GRANTED**.

### **CONDITIONS - SHORT SUBDIVISION**

The owner(s) and responsible party(s) shall:

#### **Prior to Recording**

1. Provide final recording forms and fee.
2. Add the conditions of approval after recording on the face of the plat or on a separate page. If the conditions are on a separate page, insert on the plat, "For conditions of approval after recording see page \_\_\_\_ of \_\_\_\_."
3. Have final recording documents prepared by or under the supervision of a Washington State licensed land surveyor. Each lot, parcel, or tract created by the short subdivision shall be surveyed in accordance with appropriate State statutes. The property corners set shall be identified on the plat and encroachments such as side yard easements, fences or structures shall be shown. All existing structures shall be shown on the face of the plat, and their distances to the property lines dimensioned. Lot areas shall be shown on the plat. The lot areas of each parcel shall be shown on the recording documents.
4. Add a note to the plat to read as follows: "Location of property lines have not been verified in relationship to building site."
5. Grant the required easement attached as Exhibit A to Seattle City Light for construction and maintenance of the electric system. The easement shall be shown on the face of the final plat and attached to the plat.
6. Grant the required easement to the City of Seattle for sanitary sewer service. The easement shall include "along the line as constructed" for the existing sidesewer service and be shown on the face of the final plat and attached to the plat.
7. Provide legal descriptions on the face of the plat for all utility, vehicular access, and pedestrian easements and revise the legal descriptions of all lots encumbered or benefited by said easements accordingly.
8. Provide a joint maintenance and responsibility agreement for maintenance and use of shared walls on property lines and all utility, vehicular access, and pedestrian easements.
9. The unit lots shown on this site are not separate buildable lots. Subsequent platting actions, additions or modifications to the structure(s) may not create or increase any nonconformity of the parent lot. Subsequent actions that would create any nonconformity of Parcels A, B, C and D shall not be permitted. This shall be noted on the plat.
10. Provide a covenant, easement or other such agreement to allow for the posting and maintenance of an address sign for units C and D in a location visible from NW 57<sup>th</sup> St.

Signature: (signature on file) Date: March 10, 2003

Lisa Rutzick, Land Use Planner  
Department of Design, Construction and Land Use  
Land Use Division

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